

United States District Court
for the
Eastern District of Washington

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Aug 17, 2021

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daniel T. Kolle

Case Number: 0980 2:15CR00144-SMJ-3

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, U.S. District Judge

Date of Original Sentence: July 21, 2016

Original Offense: Conspiracy to Bank Fraud, 18 U.S.C. §§ 1344 and 1349

Original Sentence:	Prison - 162 Days	Type of Supervision: Supervised Release
	TSR - 36 Months	

Revocation Sentence:	Prison - 3 Months	
(03/03/2017)	TSR - 33 Months	

Revocation Sentence:	Prison - 21 Days	
(06/25/2019)	TSR - 56 Months	

Asst. U.S. Attorney:	George J.C. Jacobs, III	Date Supervision Commenced: August 28, 2020
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Defense Attorney:	Katherine Westerman	Date Supervision Expires: April 27, 2025
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PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<p>Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.</p>
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	<p>Supporting Evidence: It is alleged that Mr. Kolle violated the above-stated condition of supervision by consuming methamphetamine, an illegal controlled substance, on or about July 20, and August 7 and 8, 2021. On July 20, 2021, Mr. Kolle provided an oral swab for the purpose of testing for controlled substances with his community corrections officer (CCO). The test results of this sample returned positive for methamphetamine on July 26, 2021, from Cordant Health Solutions. The positive test result was addressed with Mr. Kolle in which he admitted to further drug use on two other occasions. Additionally, Mr. Kolle signed an admission form with his CCO.</p>
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On September 1, 2020, Mr. Kolle's conditions of supervised release were reviewed. On September 6, 2020, Mr. Kolle signed his judgment acknowledging an understanding of his conditions of supervision, to include mandatory condition number 3, as noted above.

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Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: It is alleged that Mr. Kolle violated the above-stated condition of supervision by consuming methamphetamine, an illegal controlled substance, on or about August 12, 2021. On August 12, 2021, Mr. Kolle reported to the U.S. Probation Office to address the admissions and positive test result for methamphetamine with his CCO. On that date, a random urine sample was collected and the results were presumptive positive for methamphetamine. Subsequently, Mr. Kolle signed an admission of use form admitting to use of methamphetamine on August 7, 8 and 12, 2021, to the U.S. probation officer.

On September 1, 2020, Mr. Kolle's conditions of supervised release were reviewed. On September 6, 2020, Mr. Kolle signed his judgment acknowledging an understanding of his conditions of supervision, to include mandatory condition number 3, as noted above.

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Standard Condition #2: After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: It is alleged that Mr. Kolle violated the above-stated condition of supervision by failing to report as directed to the undersigned officer on August 8, 2021, for a scheduled appointment.

On August 8, 2021, Mr. Kolle was directed by the undersigned officer to report to the U.S. Probation Office in Spokane before the close of business. Mr. Kolle confirmed his understanding by agreeing to report as directed. Mr. Kolle failed to report for this office appointment as scheduled.

On September 1, 2020, Mr. Kolle's conditions of supervised release were reviewed. On September 6, 2020, Mr. Kolle signed his judgment acknowledging an understanding of his conditions of supervision, to include standard condition number 2, as noted above.

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Standard Condition #4: You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: It is alleged that Mr. Kolle violated the above-stated condition of supervision by being dishonest when questioned by the undersigned officer regarding his drug use. On August 6, 2021, Mr. Kolle was specifically asked about his sobriety following the positive test result for methamphetamine. Mr. Kolle adamantly denied any use of controlled substances.

On September 1, 2020, Mr. Kolle's conditions of supervised release were reviewed. On September 6, 2020, Mr. Kolle signed his judgment acknowledging an understanding of his conditions of supervision, to include standard condition number 4, as noted above.

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Special Condition #4: You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that Mr. Kolle violated the above-stated condition of supervision by failing to report for scheduled outpatient treatment services on April 29, July 15 and 29, and August 13, 2021, at Pioneer Human Services. This was confirmed by a Pioneer Human Services treatment counselor.

On September 1, 2020, Mr. Kolle's conditions of supervised release were reviewed. On September 6, 2020, Mr. Kolle signed his judgment acknowledging an understanding of his conditions of supervision, to include special condition number 4, as noted above.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

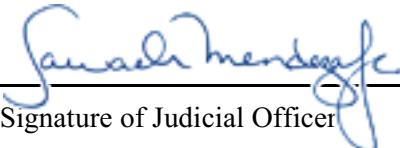
Executed on: August 17, 2021

s/Mark E. Hedge

Mark E. Hedge
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

08/17/2021

Date